

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

FILED

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U.S. DISTRICT COURT
N.D. OF ALABAMA

DARRELL McCORD,

)

PLAINTIFF,

)

VS.

)

CV97-H-2837-E

WARDEN J.L. SIVLEY, and,

)

DOCTOR CAMDEN,

)

DEFENDANTS.

ENTERED

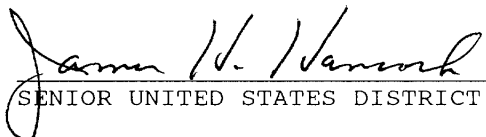
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MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on June 4, 1998 recommending that the defendants' motion for summary judgment be granted and this cause be dismissed without prejudice. Plaintiff filed a response in which he concedes to and agrees with the decision of the magistrate judge.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the response filed by the plaintiff, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. The court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be granted and this action is due to be dismissed without prejudice. A final judgment will be entered.

DONE this the 1st day of July, 1998.



SENIOR UNITED STATES DISTRICT JUDGE

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